IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

Crl.Rev.Pet.No. 4086 of 2007()

CRA.1207/2003 of ADDL. SESSIONS JUDGE (ADHOC-II), ERNAKULAM
CC.42/2003 of ADDL.CHIEF JUDICIAL MAGISTRATE (E & O),ERNAKULAM

.....

REVN. PETITIONER: REVISION PETITIONER-APPELLANT-ACCUSED:

T.M. EDWARD,
NO.IV/529, KARIPPALAM, KOCHI-682 002.

BY ADV. SRI.K.A.JALEEL
SRI.N.K.POULOSEKUTTY

RESPONDENTS: RESPONDENTS-COMPLAINANT & STATE:

---

1. M/S. PREMIER METALS AND
ENGINEERING CORPORATION, XXXVII/87(A), T.D.ROAD,
KOCHI-16, REP. BY THE POWER OF ATTORNEY HOLDER AND
SALES MANAGER, LANSY CHERIYAN.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M. NAZAR
SRI.ALEXANDER PETER

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * *

Crl.R.P. No.4086 of 2007

* * * * * * * * * * * * * * * * * * *

Dated: 15-11-2007

ORDER

The accused in C.C. No. 42 of 2003 on th**e file** of the Addl. Chief Judicial Magistrate (Economic Offences) Ernakulam, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11982 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

3. The petitioner shall be released from prison unless his continued detention is necessary in connection with any other case.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.